

REMARKS

In response to the above-identified Final Office Action (“Final Action”), Applicant amends the application and seeks reconsideration thereof. In this response, no claims have been amended, claims 13, 14, 16 and 18-20 have been cancelled and no claims have been added. Accordingly, claims 1-10 are pending.

The instant application is directed to a process for producing an epitaxial layer of gallium nitride (GaN) as well as to the epitaxial layers of gallium nitride (GaN) which can be obtained by said process. Such process makes it possible to obtain gallium nitride layers of excellent quality.

I. Examiner Interview Summary

Applicant respectfully submits herewith a summary of the Examiner Interview conducted on April 13, 2006 between Examiner Hsien Ming Lee and Applicant’s Attorney Stacie J. Sundquist via telephone. During the interview, the rejection of claim 13 and its dependent claims in view of U.S. Pub. No. 2002/0048964 to Yuasa (“Yuasa”) issued in the Final Office Action dated January 18, 2006 was discussed. In particular, Applicant proposed an amendment to claim 13 which Applicant believed would be sufficient to overcome Yuasa. Upon conclusion of the Examiner Interview, no agreement was reached and the proposed amendments were not entered.

II. Claim Rejections - 35 U.S.C. §102(e)

A. The Examiner rejects claims 13, 14, 16 and 18 under 35 U.S.C. 102(e) as being anticipated by US Pub. No. 2002/0048964 issued to Yuasa et. al. (“Yuasa”). In response, claims 13, 14, 16 and 18 are cancelled.

B. The Examiner rejects claim 16 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,319,742 issued to Hayashi et. al. (“Hayashi”). In response, claim 16 is cancelled.

C. The Examiner rejects claims 19 and 20 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,794,276 issued to Vaudo et. al. (“Vaudo”). In response, claims 19 and 20 are cancelled.

III. Allowable Subject Matter

Applicant respectfully acknowledges the Examiner’s allowance of claims 1-10.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely claims 1-10, are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. Questions regarding this matter should be directed to the undersigned at (310) 207-3800.

PETITION FOR EXTENSION OF TIME

Per 37 C.F.R. 1.136(a) and in connection with the Office Action mailed on January 18, 2006, Applicant respectfully petitions the Commissioner for a one (1) month extension of time, extending the period for response to May 18, 2006. The Commissioner is hereby authorized to charge payment to Deposit Account No. 02-2666 in the amount of \$60.00 to cover the petition filing fee for a 37 C.F.R. 1.17(a)(2) small entity. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated: May 18, 2006
By: _____
Eric S. Hyman
Reg. No. 30,139

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail with sufficient postage in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on May 18, 2006.

Jean Svoboda